

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DOMUS BWW FUNDING, LLC, *et al.*,

Plaintiffs,

v.

ARCH INSURANCE COMPANY, *et al.*,

Defendants.

Case No. 2:23-cv-00094-JDW

ORDER

AND NOW, this 10th day of September, 2024, upon consideration of Plaintiffs 1801 Admin, LLC's and Domus BWW Funding, LLC's Notice Of Motion For Partial Summary Judgment Regarding Defendants' Duty To Advance Defense Costs And Duty To Indemnify (ECF No. 92), for the reasons stated in the accompanying Memorandum, it is **ORDERED** that the Motion is **GRANTED** with respect to Arch's duty to advance defense costs that Domus incurred in the *47 East* Action and **DENIED** in all other respects. Judgment is therefore **ENTERED** in favor of Plaintiffs Domus BWW Funding LLC and 1801 Admin LLC and against Defendant Arch Insurance Company in the amount of \$3,371,149.12.

It is **FURTHER ORDERED** that, upon consideration of The Insurers' Motion For Summary Judgment (ECF No. 94), and for the reasons stated in the accompanying Memorandum, the Motion is **GRANTED** with respect to (a) Plaintiffs' ability to recover

defense costs from ongoing bankruptcy proceedings and from this case, (b) Plaintiffs' statutory and common law bad faith claims, and (c) all claims against Defendant QBE Insurance Corporation. The Motion is otherwise **DENIED**.

The Clerk of Court shall mark this case closed.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.